REMARKS

Claim 8 has been cancelled, and claims 1 and 5 have been amended. Applicants reserve the right to pursue the original claims and other claims in this application and other applications. Claims 1-7 are pending in this application.

Claims 1-8 stand rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, the Office Action contends that the phrase "said selected record" in claim 1, line 10 renders the claim indefinite because it is not clear that the phrase "said selected record" in the second part of line 10 is that same as the phrase "the selected record" in the beginning of line 10. Reconsideration is respectfully requested. As noted in lines 1-4 of claim 1, a file has one or more records, and each record is associated with a first data map corresponding to a first format and a second data map corresponding to a second format. The method of the present invention comprises "accessing a selected record from said file" (line 6) and "for each field of said selected record, using said first data map associated with said selected record and said second data map associated with said selected record to determine whether said field is present in said second format." (lines 9-11). The phrase "said selected record" as recited throughout claim 1 is the same element and refers to the selected record that is accessed as recited in line 4.

The Office Action contends that the phrase "one or more default values" as recited in claim 7 renders the claim indefinite because it is not clear what the default value is. A default value, as is known in the art, can be any value that is a preset choice for automatic use when no other value is specified. Thus, for example, when initializing a record, a default value (which may be any value) is used to occupy fields in the record until new data that is specified is provided.

In view of the above remarks, Applicants respectfully submit that the claims are not indefinite and all claims are in full compliance with 35 U.S.C. §112.

Claims 1-8 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Specifically, page 3 of the Office Action states "the claims are not directed towards the final result that is 'useful, tangible and concrete.'" Reconsideration is respectfully requested.

As noted in MPEP, 2106 (IV)(A), 35 U.S.C. §101 defines four categories of inventions that Congress deemed to be the appropriate subject matter of a patent; namely, processes, machines, manufactures and compositions of matter. As defined in 35 U.S.C. 100(b), the term process means process, art or method, and includes a new use of a known process, machine, manufacture, composition of matter or material. Claim 1 has been amended to clarify that the claim is directed to a method of converting data stored in a file from a first format used by a first software application, to a new file in a second format used by a second software application, and the result is a new file in the second format that can be used by the second software application. By utilizing the method of the present claims, a practical application of being able to update and/or revise a software application while still maintaining old, existing data that would not, in its present form, be able to be utilized by the updated and/or revised software application, is provided. The claims are not directed to an abstract idea, law of nature or natural phenomena, but instead to a useful and practical application in the art of data storage and processing, and recite functionality to apply, involve, use or advance the technological arts.

Applicants respectfully submit that the claims are directed to statutory subject matter and therefore comply with 35 U.S.C. §101.

Claims 1, 2, and 5-8 stand rejected under 35 U.S.C. §102(e) as being anticipated by Tamboli et al. (U.S. 6,792,431). Claims 3 and 4 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Tamboli et al. in view of Gupta (U.S. 6,577,158). Reconsideration is respectfully requested.

Claim 1 as amended includes the limitation of "for each field of said selected record, using said first data map associated with said selected record and said second data map associated with said selected record to determine whether said field is present in said second format, and if said field is not present in said second format, discarding said one or more data elements of said field from said selected record." Thus, if the new format as reflected in the new

data map no longer includes a field in question, the data contained in the field in question in the old record is discarded and will not be included in the new record. (See Specification, paragraph [0021]).

Tamboli is directed to data integration based upon dynamic common models. Data integration is intended to enable a customer using one repository to make use of data residing in another repository. Data integration customers typically need to locate data in a source repository, transform the data from a source format to a destination format, and transfer the data from the source to the destination. (Col. 1, lknes 20-25). The system in Tamboli allows users to identify data located among multiple databases or data repositories and to transfer identified data from one repository to another. (Col. 7, lines 21-25). In Tamboli, a user interface provides the capability for the user to order execution of a transfer, to transfer particular identified data from a source native repository to a destination native repository. User interfaces are capable, when ordered to do so, of writing to a transfer cart catalog keys from the identifying attributes for all native records ordered transferred by the user. The transfer manager then reads the catalog keys from the transfer cart and uses a catalog key to find in the catalog the proxy data needed to locate in a native repository a particular native record selected for transfer. The transfer manger then calls an extract routine in the adapter for the source repository identified in the identification data. (Col. 113, lines 1-13).

Thus, in Tamboli a user identifies specific data to be transferred from one repository to another. Based on the selection made by the user, the data will be transferred. Note, however, that in Tamboli there will not be any discarding of data from the source repository that is not selected by the user for transfer to a destination repository. If this were to happen in Tamboli, then each time a customer did not select specific data, it would be discarded from the source repository and thus not be available for any future customers that would desire to transfer such data. This is clearly contrary to the purpose as stated in Tamboli, which is to allow customers using one repository to make use of data residing in another repository. If data is discarded from the source repository each time a customer identifies data for transfer (unless every customer identifies every piece of data in the source repository for transfer), the data contained in the source repository will continue to be depleted until eventually the source repository contains no

data at all. There is no disclosure, teaching or suggestion in Tamboli et al. of "for each field of said selected record, using said first data map associated with said selected record and said second data map associated with said selected record to determine whether said field is present in said second format, and if said field is not present in said second format, discarding said one or more data elements of said field from said selected record" as is recited in claim 1. The reference to Gupta does not cure the above deficiencies, as it was relied upon for other features.

For at least the above reasons, Applicants respectfully submit that claim 1 as amended is allowable over the prior art of record. Claims 2-7, dependent upon claim 1, are allowable along with claim 1 and on their own merits.

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims are in condition for allowance and favorable action thereon is requested.

Respectfully submitted,

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